IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

CRIMINAL APPEAL No.164 of 2007

(Old No.1266 of 1986)

Liyakat Ali S/o Ismail, R/o Gadhri Saleempur,
P.S. Chajlet, Distt. Moradabad

... Appellant

Versus

The State

... Respondent

Dated: August 3, 2007

Mr. Prabha Noliyal holding brief of Sri P.M.N. Singh, ld. counsel for the appellant
Sri Nandan Arya, learned AGA for the State

HON. DHARAM VEER, J.

The present appeal has been preferred u/s 374(2) of the Code of Criminal Procedure, 1973 against the judgment and order dated 31.3.1986 passed by learned Special Judge, Nainital in S.T. No.143 of 1985 and S.T. No.144 of 1985, whereby the appellant Liyakat has been convicted u/s 25 of the Arms Act, 1959, and also u/s 392 r/w Section 397 of the Indian Penal Code, 1860. The trial court has sentenced the appellant to undergo rigorous imprisonment for a period of six months u/s 25 of Arms Act, 1959 and rigorous imprisonment for a period of seven years u/s 392 r/w Section 397 of I.P.C. Both the sentences were directed to run concurrently.

The present appellant had filed two appeals, on from the Jail and another one through his counsel. The appeal preperred from the jail was dismissed by this Court on 21.06.2007 bearing Criminal Jail Appeal No.2060 of 2001 (Old No.681 of 1988). Since, the appeal preferred by the appellant through jail was dismissed by this Court on 21.6.2007, hence, the present appeal has also got no force and is accordingly dismissed in the light of the judgment and order dated 21.06.2007.

(Dharam Veer, J.)

Rajeev Dang

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(Old No. 1266 of 1986)

Hon'ble Dharam Veer, J.

The appeal is dismissed. For order See my order of date passed on Separate Sheet.

(D.V.J)

03.08.02007